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Mihai Florin Ionescu

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EXAMINER

ROSE, HELENE ROBERTA

ART UNIT

PAPER NUMBER

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/813,888	Applicant(s) IONESCU, MIHAI FLORIN	
	Examiner Helene Rose	Art Unit 2163	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>3/31/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

1. Claims 1-47 have been presented for examination
2. Claims 1-47 have been rejected.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 10/27/2004, was filed after the mailing date of the application on 3/31/2004. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections – 35 U.S.C § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claim 24 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 24 recites the limitation "the method" on page 38, examiner is unsure/unclear as to what "method" applicant is referring to, since there is no prior mention. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections – 35 U.S.C – 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1–10, 15–33, and 38–46 are rejected under 35 U.S.C. 102(e) as being anticipated by Kiessig et al. (US Publication No. 20040133544, Filing Date: August 1, 2003).

Claims 1 and 24:

Regarding Claims 1 and 24, discloses a method/a computer readable medium utilizing the same functionality, wherein Kiessig teaches a method/computer readable medium containing program code comprising:

program code for providing a data store of stored events, wherein the events comprise user interactions with articles (see abstract, wherein the file management system may enable certain actions to occur automatically based on predetermined events, including changes in metadata and these actions may facilitate workflow or provide other benefits, wherein a user interface facilitates user interaction with the file management system; paragraph [0058], wherein information about associated files, such as versions, is stored in the database,

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accessing associated files is simple, wherein a "show versions" option can be selected in the user interface 210; paragraph [0074], wherein an email integration package allows email messages to be brought into the system to be manipulated as files in folders and also to be associated with files and folders and to determine whether there has been any email discussion about a file, right-click on the file and select the "Messages" command, the user interface will then provide the email history associated with this file; paragraph [0027], wherein all actions may be programmed by user, Kiessig);

program code for identifying a desired portion of the data store for replication (paragraph [0056], wherein the volume manager may identify files with identical content, and link them together as deferred copies, thereby allowing the duplicate disk space to be freed, Kiessig);

program code for replicating the desired portion of the data store (paragraph [0059], wherein a "show copies" option may be selected from the user interface 210, a window will then display a copy pedigree for a particular file, wherein such a copy pedigree may include all predecessor files, all descendant files, or some combination and as with versions any of the copies can be moved, opened, compared to other copies, or otherwise manipulated without changing the content of the copy, and since information is stored about the timing of copies of all files, the volume manager 221 can provide a view of a folder hierarchy or an entire volume as of a given time., wherein this allows users to view the migration and evolution of a particular file as well as identify the source of the particular file, Kiessig).

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Claims 2 and 26:

Regarding Claims 2 and 25, Kiessig teaches wherein the data store comprises an index (paragraph [0015], wherein queuing the file to a search engine for indexing, Kiessig).

Claims 3 and 26:

Regarding Claims 3 and 26, Kiessig teaches wherein the index comprises a plurality of terms associated with the events (paragraph [0161], a free text search, wherein ID is used as the name of the index, returning hits; paragraph [0128], wherein the file management system are system tags, wherein it starts with keywords; paragraph [017], wherein these files are comprised of a stream of words readily processed by the external indexing program into a stream of words and then passes the stream onto the external indexing program, Kiessig)

Claims 4 and 27:

Regarding Claims 4 and 27, Kiessig teaches wherein the index comprises one or a combination of one or more times, one or more types, one or more locations, one or more articles, or one or more user activities associated with the events (paragraph [0166], wherein each tag can have one or more meta-tags applied to it, Kiessig).

Claims 5 and 28:

Regarding Claims 5 and 28, Kiessig teaches wherein the articles comprise one or a combination of word processor documents, spreadsheet documents, presentation documents, emails, instant messenger messages, database entries, calendar entries, appointment entries, task manager entries, source code files, web pages, Portable Document

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Format (PDF) files, media files, audio files, or video files (paragraph [0072], wherein actions can also be programmed as one would in a spreadsheet, using JavaScript, Java, or Visual Basic; paragraph [0147], wherein a prefilter first converts binary files (such as, for example, PDF files, Word files, etc.) into a stream of words and then passes the stream onto the external indexing program, Kiessig).

Claims 6 and 29:

Regarding Claims 6 and 29, Kiessig teaches wherein the data store comprises a database (paragraph [0067], wherein the type is stored in the database, Kiessig).

Claims 7 and 30:

Regarding Claims 7 and 30, Kiessig teaches wherein the database comprises events (paragraph [0057], wherein comments about the version can be entered and saved by the volume manager 221 and paragraph [0060], wherein when a file is copied, moved, deleted, or saved a record is made, Kiessig).

Claims 8 and 31:

Regarding Claims 8 and 31, Kiessig teaches wherein the data store comprises a repository (paragraph [0049], wherein a volume is a unit of file storage, Kiessig).

Claims 9 and 32:

Regarding Claims 9 and 32, Kiessig teaches wherein the repository comprises content associated with the articles (see abstract, wherein digital content; paragraph [0131], wherein the contents of the email are static, Kiessig).

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Claims 15 and 38:

Claims 15 and 38, Kiessig teaches determining a maximum size for a replicated portion of the data store (paragraph [0068], wherein sorted by size, modify time and certain other information, as in most file management systems, wherein the user can also configure the user interface 210 to display tag names and values associated with the files in a folder and when the folder display is in this mode, the tags appear as column headings, and the tag values appear in those columns, wherein columns are equivalent to portion of the data store, Kiessig).

Claims 16 and 39:

Regarding Claims 16 and 39, Kiessig teaches wherein identifying a desired portion of the data store comprises determining recently accessed articles (paragraph [0040], wherein the volume manager keeps recent versions, Kiessig).

Claims 17 and 40:

Regarding Claims 17 and 40, Kiessig teaches determining a checksum associated with the index and the repository (paragraph [0179], wherein background thread calculates a new hash code for that file and the new hash code is stored in a tag associated with that file, Kiessig).

Claims 18 and 41:

Regarding Claims 18 and 41, Kiessig teaches profile information associated with the desired portion, further comprising determining profile information associated with the desired portion (paragraph [0119], wherein the hash table allows the identification of all objects that

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have a particular tag associated with them as well as the identification of all tags associated with a particular object, Kiessig).

Claims 19 and 42:

Regarding Claims 19 and 42, Kiessig teaches wherein replicating the structure and content of the desired portion of the data store comprises indicating a read-only status (paragraph [0113], wherein attributes describe whether the file is frozen, read only, etc, Kiessig).

Claims 20 and 43:

Regarding Claims 20 and 43, Kiessig teaches wherein the desired portion of the data store is replicated to a removable data store (paragraph [0118], wherein entry may also include methods for manipulating revision lists, for setting tags, for removing tags, for copying tags to another entry, and for updating dynamic folders, Kiessig).

Claims 21 and 44:

Regarding Claims 21 and 44, Kiessig teaches wherein the data store is a local data store on a client device (paragraph [0070], wherein in case the client is disconnected or the server goes down. If a user wished to always have an item available, the "keep local" option is selected from the user interface and wherein a folder, all of that folder's contents, recursively, are affected when the "keep local" option is selected, Kiessig).

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Claims 22 and 45:

Regarding Claims 22 and 45, Kiessig teaches wherein the desired portion of the data store is replicated to a second data store located on a network (paragraph [0176], wherein the file system creates a second slot that points to the existing entry, and thus the same stream and the following slots include name information and entries manage tags, and further, multiple slots can point to a single entry 534 and after the second slot is created, the file system, in effect, manages two names for the same underlying object, wherein the live copy command also attaches a trigger to the second slot, Kiessig).

Claims 23 and 46:

Regarding Claims 23 and 46, Kiessig teaches wherein the data store is a local data store on a client device (paragraph [0035], Kiessig).

Claim 47:

Regarding Claim 47, Kiessig teaches a method comprising:

providing a database of stored events, wherein the events comprise user interaction with articles on the client device, and wherein the articles are capable of being associated with at least one of a plurality of client applications (paragraph [0156], wherein these events may generate XML messages that are sent to a client, Kiessig);

providing an index of the store events (Refer to claim 26, wherein this limitation is substantially the same/similar, Kiessig);

providing a repository of at least a portion of content associated with the articles;

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identifying a desired portion of the database, index, and repository by presenting a user with a graphical user interface (Refer to claim 33, wherein these limitation is substantially the same/similar, Kiessig);

determining a checksum associated with the database, index, and repository;
determining profile information associated with the database, index, and repository;
replicating the structure and content of the desired portion of the database, index, and repository to create a replicated portion (paragraph [0109], wherein object store creates a snapshot of the database that remains consistent until the end of that transaction; paragraph [0178] and Refer to claims 31, 40, and 41 wherein these limitation is substantially the same/similar, Kiessig); and

marking the replicated portion as read-only (paragraph [0117], wherein similar mechanism may provide for a copy history that records where this entry was copied to, where it was copied from, etc and Each entry may also include one or more attribute flags including a frozen attribute, a repository attribute, a free text indexer attribute, and a read only attribute, Kiessig).

Claims 10 and 33:

Regarding Claims 10 and 33, Kiessig teaches wherein identifying a desired portion of the data store comprises presenting a user with a graphical user interface (see abstract, wherein a graphical user interface to facilitate access to and use of such a system, Kiessig).

Claim Rejections – 35 U.S.C 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 11–14 and 34–37 are rejected under 35 U.S.C. 103(a) as being obvious over Kiessig (US Publication No. 2004/0133544, Filing Date: August a, 2003) in view of Ryan et al. (US Patent No. 6,421,675, Patent Date: July 16, 2002).

Claims 11 and 34:

Regarding Claims 11 and 34, Kiessig discloses all the limitation above. However, Kiessig does not disclose wherein identifying a desired portion of the data store comprises presenting a user with suggested events. On the other hand, Ryan discloses wherein identifying a desired portion of the data store comprises presenting a user with suggested events (Figure 1A, diagrams 12 and 14, Ryan). It would have been obvious to one of the ordinary skill in the art at the time of the invention to incorporate Ryan teachings into Kiessig system. A skilled artisan would have been motivated to combine the suggest by Ryan at [column 20, lines 20–26}, As a result of establishing quicker search mechanisms and quicker results.

Claims 12 and 35:

Regarding Claims 12 and 35, the combination of Kiessig in view of Ryan teaches wherein identifying a desired portion of the data store comprises identifying frequently accessed articles (column 12, lines 5-7, wherein table 2 is illustrating the frequency the URL, i.e. web page is visited, Ryan).

Claims 13 and 36:

Regarding Claims 13 and 36, the combination of Kiessig in view of Ryan teaches wherein identifying a desired portion of the data store comprises identifying articles relevant to a search query (column 6, lines 14-16; column 25, lines 17-15, Ryan).

Claims 14 and 37:

Regarding Claims 14 and 37, the combination of Kiessig in view of Ryan teaches wherein identifying articles relevant to a search query comprises extending a search query beyond initial search terms (Figure 3A, all features, further defined in column 8, lines 47-49, Ryan).

Prior Art of Record

1. Kiessig et al (US Patent No. 2004/0133544) disclose a system and method for electronic file management includes an object oriented file management database, a volume manager, and a coherency manager.
2. Ryan et al (US Patent No. 6,421,675) disclose a method for updating an Internet search engine database with the results of a user selection of a web page listings.

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Point of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helene Rose whose telephone number is (571) 272-0749. The examiner can normally be reached on 8:00am - 4:30pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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